

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

GII ACQUISITION, LLC,

Plaintiff,

No. 13-14890

v.

District Judge Lawrence P. Zatkoff
Magistrate Judge R. Steven Whalen

CYBERNET SYSTEMS CORPORATION,

Defendant.

ORDER

For the reasons and under the terms stated on the record on April 15, 2014, Plaintiff's Motion to Compel Discovery [Doc. #24] is GRANTED IN PART AND DENIED IN PART, as follows:

As to Interrogatory No. 1, Defendant will supplement its response as stated on the record.

As to Interrogatory No. 2, Defendant will supplement its response regarding facts that support each pleaded invalidity defense. Defendant need not respond in the specific format suggested by Plaintiff, so long as the production is responsive to the interrogatory.

As to Interrogatories No. 5 and No. 6, Defendant will produce, in addition to the affidavits, the supporting documentation. Defendant's request that the Plaintiff bear the cost of production is denied without prejudice.

As to Interrogatory No. 7 and Request for Production No. 7, Defendant will produce the requested information subject to an attorney and expert's eyes only protective order. The Plaintiff's expert or experts will likewise be bound by this protective order, and will not disclose the information to anyone except Plaintiff's counsel.

As to Interrogatory No. 10, the motion is DENIED.

As to Request for Production No. 10, the motion is GRANTED. If Defendant objects to any documents on the basis of privilege, it shall produce a privilege log.

All discovery ordered herein shall be produced within 21 days of the date of this Order.

IT IS SO ORDERED

Dated: April 16, 2014

s/ R. Steven Whalen
R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

I hereby certify that a copy of the foregoing document was sent to parties of record on April 16, 2014, electronically and/or by U.S. mail.

s/Michael Williams
Case Manager for the
Honorable R. Steven Whalen